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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JOSHUA SIMON, DAVID BARBER, and  
JOSUE BONILLA, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO;  
and PAUL MIYAMOTO, in his official  
capacity as San Francisco Sheriff,

Defendants.

Case No.: 4:22-cv-05541-JST

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE CASE  
MANAGEMENT CONFERENCE**

Judge: Hon. Jon S. Tigar  
Courtroom: Courtroom 6, 2nd Floor  
Date: October 28, 2025  
Time: 2:00 P.M.

**JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

Plaintiffs Joshua Simon, David Barber, and Josue Bonilla (together, “Plaintiffs”) and Defendants City and County of San Francisco and Paul Miyamoto (together, “Defendants,” and together with Plaintiffs, the “Parties”), by and through their respective undersigned counsel of record, hereby stipulate as follows:

WHEREAS, on February 13, 2024, this Court issued a preliminary injunction (the “Preliminary Injunction”);

WHEREAS, on February 27, 2024, Defendants appealed the Preliminary Injunction in the Ninth Circuit, captioned *Simon v. City and County of San Francisco*, No. 24-1025 (9th Cir.) (the “Appeal”);

WHEREAS, Defendants appealed to the Ninth Circuit this Court’s order on Plaintiffs’ Motion to Enforce the Preliminary Injunction, and Plaintiffs moved to dismiss the appeal, in *Simon v. City and County of San Francisco*, No. 24-6052 (9th Cir.) (the “Second Appeal”);

WHEREAS, on April 23, 2025, the Ninth Circuit affirmed in part and vacated in part the Preliminary Injunction in the Appeal, denied Plaintiffs’ motion to dismiss the Second Appeal, and granted Defendants’ motion to stay in the Second Appeal, *Simon v. City and County of San Francisco*, 135 F.4th 784 (9th Cir. 2025);

WHEREAS, on June 10, 2025, the Court issued an order scheduling a case management conference to July 15, 2025 (subsequently re-scheduled to August 26, 2025, and then to September 30, 2025);

WHEREAS, on September 24, 2025, the Court issued an order continuing the case management conference to October 28, 2025; and

WHEREAS, in light of the Ninth Circuit’s ruling, the Parties continue to discuss potential resolution of this action.

To preserve the Parties’ and this Court’s resources, the parties HEREBY STIPULATE AND AGREE and jointly request that the Court continue the Case Management Conference to Tuesday, December 9, 2025 at 2:00 p.m. or such other date and time as is convenient for the Court.

1 Dated: October 21, 2025

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20  
21 Dated: October 21, 2025

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27  
28 <sup>1</sup> Pursuant to Local Rule 5-1(i)(3), counsel for Plaintiffs attest that Defendants have concurred in the filing of the document.

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*Attorneys for Defendants*

**[PROPOSED] ORDER**

FOR GOOD CAUSE SHOWN, the Court hereby continues the Case Management  
Conference from October 28, 2025 to December 9, 2025 at 2:00 p.m.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Honorable Jon S. Tigar  
U.S. District Court Judge